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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/538,063	03/29/2000	Edward Behrens		6573

7590 12/03/2002

Thomas J Finn  
Snell & Wilmer L L P  
One Arizona Center  
400 East Van Buren  
Phoenix, AZ 85004-2202

EXAMINER
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PATEL, RAMESH B

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 12/03/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/538,063

Applicant(s)

BEHRENS ET AL.

Examiner

Ramesh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-71 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 48-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 22-47 and 65-71 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

1. Claims 22-71 are present in the application. Claims 1-21 have been canceled due to the amendment filed on 8/20/2002. Claims 65-71 have been added due to the amendment filed on 11/6/2002.
2. Restriction to claims 22-64 under 35 U.S.C. 121 is maintained and updated to include newly added Claim(s) and/or remark(s). Applicant is suggested to properly cancel the nonelected claims in the amendment section of the response if applicable.

**Election/Restriction**

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 22-36, drawn to a computer control system which is classified in class 700, subclass 9, supervisory control or computer control or central control.
  - II. Claims 37-42, drawn to a method for processing data signals, classified in class 700, subclass 39, testing signal or processing signal.
  - III. Claims 43-47, drawn to a computer rack station including communication line or interface and display system which are connected to a control system, classified in class 700, subclass 83, having operator control interface for communication and/or control/display console.
  - IV. Claims 48-64, drawn to a control and monitoring system for a plurality of

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computers having various connectors, keyboard-video-mouse cable, classified in class 700, subclass 19, plural control controlled systems, mechanisms or elements.

- V. Claims 65-71, drawn to a control and monitoring system comprising: a stationary main unit housing an administration station slidably connected to the main housing, classified in class 312, subclass 223.3, work station or support furniture for computer or computer related equipment.

4. The inventions are distinct, each from the other because of the following reasons:

For instance the Group I, II, III, IV and V have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and the search required for Group I, II, III, IV and V are different, restriction for examination purposes as indicated is proper.

6. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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7. Examiner has acknowledged that applicant has elected Group IV (Claims 48-64) with traverse in response filed on 11/6/2002; also, examiner has included newly added claims 65-71 in Group V due to the subject matter. As to applicant's argument regarding claims 22-47 and 65-71, restriction requirement is proper as stated above because For instance the Group I, II, III IV and V have acquired a separate status in the art because of their recognized divergent subject matter and these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter Applicant is requested to elect one group out of Group I, Group II, Group III, Group IV and Group V and canceled all non-elected claims in the Amendment Section (Note: Remark Section is only for the remarks, not for amending any matter(s)).

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

**Claim Rejections - 35 U.S.C. § 102**

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 48-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Beasley et al. (US Patent 5,721,842).

As to claims 48-49, 55 and 63, Beasley teaches the invention as claimed including a control and monitoring system for a plurality of computers comprising: a keyboard-video-mouse switch comprising a plurality of first connectors, each of which is connected to a keyboard-video-mouse cable comprising: a first end comprising a second connector for connecting into said keyboard-video-mouse switch and a second end comprising a third connector for connecting into a keyboard port of a computer and a fourth connector for connecting into a pointing device port of said computer and a fifth connector for connecting into a video port of said computer whereby said keyboard-video-mouse cable carries keyboard, pointing device signals and red, green, blue, vertical sync, and horizontal sync video signals between said computer and said keyboard-video-mouse switch without modifying said computer or adding one or more devices to said computer teaches as a computerized switching system for coupling work station having plurality of computer are connected through various connectors and interfaces or cables for communicating or transmitting and/or receiving video signals (see, abstract and figures 1-2 and col. 2, lines 5-62); establishing a communications link between the on-board monitor and the remote monitoring and diagnostic center (see, abstract and figures 1-6 and col. 2, line 57 to col. 3, line 35).

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10. Any inquiry concerning this or earlier communication from the examiner should be directed to Ramesh Patel at (703) 308-6673.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on (703)305-8998.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800; following Fax numbers are provided for assisting applicant to make any correspondence through Facsimile to TC (Technical Center) - 2100:

After-Final (703) 746-7238  
Official (703) 746-7239  
Non-Official/Draft (703) 746-7240

  
**RAMESH PATEL**  
**PRIMARY EXAMINER**

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December 2, 2002

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As to claims 50-54, 56-62 and 64, Beasley teaches the control and monitoring system wherein said input and display device has a maximum vertical height of 1.75 inches when in a stored position and an arm comprising a plurality of hinges and a first end joined to said input and display device and a second end joined to said keyboard-video-mouse switch wherein cables connected between said input and display device and said keyboard-video-mouse switch may be fastened to said arm to minimize the possibility of cable pinching as a human operator slides the input and display device mounted in the computer equipment rack from a storage position to an open position and wherein second connector comprises a fifteen position D-sub connector and each of said plurality of first connectors comprises a fifteen position D-sub connector wherein the plurality of first connectors comprises at most sixteen connectors (see, abstract and figures 1-6).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.